

REMARKS

Claims 15 to 33 are now pending in the present application. Claim 17 has been amended for clarification sake. No new matter has been added.

Applicants respectfully request reconsideration of the present application in view of this response.

35 U.S.C. § 102(b) – Kahn reference

Claims 15 to 19, 21, 22, 24 to 31 and 33 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,978,649 to Kahn (“Kahn reference”).

Applicants disagree with the Office Action's characterization of the Kahn reference and further submit that the Kahn reference does not in fact describe *identically* what is claimed in the present invention.

The Kahn reference refers to a method and apparatus for dynamic conditional channel authorization in a broadcast system where each receiver unit is associated with an authorization information identifying subsets of the communication signal and is authorized to process. The specific passages referred to by the Office Action appear to refer to a different system than that of the present application.

In the present application, for example, several customers may access a pay-TV terminal with their individual mobile data carriers (e.g., chipcard) without each customer having to access its own terminal to ensure new receiving rights are received. Several mobile data carriers are permitted access to a single pay-TV terminal, and can have their receiving rights updated by that same pay-TV terminal. (see, for instance, Specification, pages 2-3). That is, the pay-TV terminal receives and stores routing data involving receiving rights in a pay-TV terminal for multiple mobile data carriers and routes the respective receiving rights to the respective mobile data carrier when communication is made, as claimed in claim 15. Claims 17, 24, 30, 31, 32, and 33, recite features analogous to those of claim 15. In contrast, the Kahn reference does not appear to disclose such features of the present invention and instead appears to focus on a broadcast system for transmitting a communication signal to a plurality of receiver units, each receiver unit having its own authorization information.

Applicants also incorporate herein all previous comments and responses made during the prosecution of this application.

Accordingly, Applicants submit that claims 15 to 19, 21, 22, 24 to 31, and 33, are allowable over the Kahn reference; and, withdrawal of the rejection under 35 U.S.C. § 102(b) of those claims is respectfully requested.

35 U.S.C. § 103(a) – Kahn reference

Claims 20, 23 and 32 were rejected under 35 U.S.C. § 103(a) over the Kahn reference.

Since claims 20 and 23 depend from claim 17, those claims are allowable over the Kahn reference for at least the same reasons as for claim 17 (discussed above).

Claim 32 recites features analogous to those in claim 15, and thus is allowable over the Kahn reference for essentially the same reasons.

Accordingly, Applicants respectfully submit that claims 20, 23 and 32 are allowable over the Kahn reference; and withdrawal of the rejection under 35 U.S.C. § 103(a) of those claims is respectfully requested.

In summary, it is respectfully submitted that all of claims 15 to 33 of the present application are allowable for the foregoing reasons.

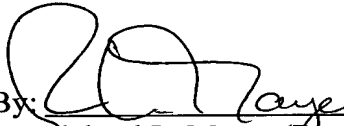
CONCLUSION


In view of all of the above, it is believed that the rejection of claims 15 to 33 under 35 U.S.C. §§ 102(b) or 103(a) have been overcome. Accordingly, it is respectfully submitted that all claims 15 to 33 are allowable. It is therefore respectfully requested that any outstanding rejections be reconsidered and withdrawn, and that the present application issue as early as possible.

If it would further allowance of the present application, the Examiner is invited to contact the undersigned at the contact information given below.

Dated: August 18, 2005

Respectfully submitted,

By: 
Richard L. Mayer (Reg. No. 22,490)


Reg. No. 47084

CUSTOMER NO. 26646

KENYON & KENYON
One Broadway
New York, New York 10004
(212) 425-7200